

Message Text

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ACTION EB-07

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C O N F I D E N T I A L SECTION 01 OF 02 OECD PARIS 37560

EXCON

E.O. 11652: XGDS1
TAGS: ESTC, COCOM
SUBJ: UK PROPOSES TOUGHER LIST REVIEW RULES AIMED AT
LAX U.S. PERFORMANCE.

REFS: (A) COCOM DOC PROC (76)8; (B) OECD PARIS 31313
(12/2/75); (C) OECD PARIS 410

SUMMARY: REFERRING TO THE PROTRACTED AND ONLY PARTIALLY
SUCCESSFUL 1974/75 COCOM LIST REVIEW, THE UK COCOM DEL
HAS PROPOSED NEW GROUND RULES FOR FUTURE EMBARGO LIST
REVIEWS WHICH WOULD LIMIT NEGOTIATIONS TO TWO ROUNDS
AND REQUIRE THAT PROPOSALS FOR ITEMS DISCUSSED BE
SUBMITTED AT LEAST THREE MONTHS BEFORE NEGOTIATIONS
BEGIN. UNDER THE UK RULES EACH PROPOSAL WOULD HAVE
TO BE SECONDED BY ANOTHER COCOM MEMBER BEFORE BEING
ENTERED ON THE AGENDA AND COUNTERPROPOSALS SUBMITTED
DURING THE COURSE OF DISCUSSION WOULD REQUIRE AT LEAST
TWO CO-SPONSORS. THESE MEASURES ARE IN LARGE MEASURE
DIRECTED AT THE U.S. PERFORMANCE DURING THE 1974/75
LIST REVIEW WHICH WAS MARKED BY TARDY INSTRUCTIONS
AND LAST-MINUTE SUBMISSIONS OF PROPOSALS AND COUNTER-
PROPOSALS. END SUMMARY.

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1. IN ANTICIPATION OF THE NEXT COCOM LIST REVIEW, THE
UNITED KINGDOM DELEGATION TO COCOM HAS SUBMITTED IN
REF (A) A MEMORANDUM OUTLINING PROPOSED GROUND RULES
FOR FUTURE LIST REVIEW DISCUSSIONS. COPIES OF MEMO
POUCHED WASHINGTON DEC 17. THE UK MEMO PROPOSES THAT
LIST REVIEWS BE LIMITED TO TWO ROUNDS AND THAT

PROPOSALS FOR DISCUSSION, AS WELL AS REQUIRED JUSTIFICATION THEREFOR, BE SUBMITTED TO THE COMMITTEE AT LEAST THREE MONTHS BEFORE THE COMMENCEMENT OF ROUND ONE. PROPOSALS WOULD BE ACCEPTED FOR DISCUSSION ONLY IF SECONDED BY ANOTHER MEMBER COUNTRY AT LEAST TWO MONTHS BEFORE THE OPENING OF THE ROUND. COUNTERPROPOSALS WOULD BE ACCEPTED UP TO ONE MONTH BEFORE NEGOTIATIONS BEGAN AND WOULD NOT NEED TO BE SECONDED. IN ADDITION THE COMMITTEE WOULD ENTERTAIN COUNTERPROPOSALS DURING THE COURSE OF LIST REVIEW DISCUSSIONS PROVIDED THAT THEY RESULT FROM DATA WHICH EMERGED IN ROUND ONE AND THAT THEY ARE CO-SPONSORED BY TWO OR MORE DELEGATIONS.

2. THE COMMITTEE WOULD, UNDER THE UK PROPOSALS, SET A TIME LIMIT ON ROUND ONE NO LATER THAN TWO WEEKS BEFORE THE FIRST SCHEDULED MEETING. AT THE SAME TIME IT WOULD DETERMINE THE INTERVAL BETWEEN THE ROUNDS (WHICH IN ANY CASE WOULD NOT EXCEED THREE MONTHS). A SIMILAR TIME LIMIT WOULD BE PLACED ON ROUND TWO, TWO WEEKS PRIOR TO ITS COMMENCEMENT. EACH DELEGATION WOULD BE RESPONSIBLE FOR INSURING THAT THEIR EXPERTS WERE AVAILABLE, WHEN NECESSARY, BOTH DURING THE COURSE OF THE TWO ROUNDS AS WELL AS FOR A PERIOD AT THE END WHEN RESCHEDULED ITEMS COULD BE DISCUSSED.

3. RATIFICATION OF THE LIST AMENDMENTS WOULD AUTOMATICALLY OCCUR THIRTY DAYS AFTER THE PUBLICATION OF THE FINAL DRAFT PROVIDED THAT NO OBJECTIONS WERE CONFIDENTIAL

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POSED WITHIN THAT TIME. THE AMENDMENTS THEMSELVES WOULD GO INTO EFFECT 30 DAYS AFTER RATIFICATION. THE PERIOD FOR RATIFICATION COULD BE EXTENDED PROVIDED THAT THE COMBINED PERIOD FOR RATIFICATION AND COMING INTO FORCE DID NOT EXCEED 60 DAYS.

4. COMMENT: THE UK PROPOSALS WERE DRAFTED, QUITE CLEARLY, WITH THE U.S. PERFORMANCE IN THE 1974-75 LIST REVIEW IN MIND AND WITH THE PURPOSE OF ENSURING THAT THE PERFORMANCE WILL NOT BE REPEATED. THE CABLES IN REFERENCES (B) AND (C) DESCRIBED THE SHORTCOMINGS OF THE U.S. NEGOTIATING RECORD: UNREADINESS TO NEGOTIATE ON THE SCHEDULED DATES, LAST-MINUTE SUBMISSION OF PROPOSALS IN VIOLATION OF AGREED DEADLINES, REPUDIATION OF AGREEMENTS PREVIOUSLY GIVEN. IN REF (C), USDEL OFFERED OPINION THAT OTHER DELEGA-

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C O N F I D E N T I A L SECTION 02 OF 02 OECD PARIS 37560

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TIONS WOULD NOT CONSENT TO ANOTHER LIST REVIEW WITHOUT
A COMPLETE CHANGE IN GROUND RULES DESIGNED TO ENSURE
THAT ALL PROPOSALS WERE ON THE TABLE BEFORE A LIST
REVIEW COULD BEGIN. UKDEL PRIVATELY OFFERED THE SAME
ASSESSMENT. THIS UK INITIATIVE PUTS IN CONCRETE FORM
THE IDEA OF AN IRONCLAD AGREEMENT WHICH THE U.S.
COULD NOT BREAK WITHOUT JEOPARDIZING THE ACHIEVEMENT
OF ITS OWN OBJECTIVES IN THE LIST REVIEW.

5. USDEL BELIEVES CENTRAL IDEA BEHIND UK PROPOSALS
WILL BE ENTHUSIASTICALLY SUPPORTED BY OTHER DELS.
HE ALSO RECOMMENDS THAT WE ACCEPT IN PRINCIPLE THE
IDEA OF HAVING PROPOSALS ON THE TABLE WELL BEFORE THE
LIST REVIEW BEGINS. HARDEST FOR US TO ACCEPT IS THE
REQUIREMENT THAT PROPOSALS BE SECONDED' WHICH
SEEMS POSSIBLY SELF-DEFEATING. IF SECONDING MEANS
SUPPORT OF THE PROPOSAL IN SUBSTANCE, IT MAY BE
EXTREMELY HARD TO GET A PROPOSAL, OTHER THAN ONE FOR
SUBSTANTIAL LIBERATION, ON THE TABLE AT ALL. ON
OTHER HAND, IF SECONDING DOES NOT BIND THE SECONDING
DELEGATION, THEN IT COULD BECOME EMPTY AND TIME-
CONSUMING FORMALITY, WITH DELEGATIONS SECONDING
EACH OTHER'S PROPOSALS MERELY TO GET THEIR OWN ON THE
TABLE. BUT WITH THIS EXCEPTION, USDEL IS OF OPINION
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WE SHOULD ACCEPT MAJOR PART OF UK PROPOSALS ALTHOUGH
WE MIGHT PROPOSE SHORTER OR LONGER TIME LIMITS.

6. ACTION REQUESTED: WASHINGTON'S COMMENTS AND
INSTRUCTIONS AS EARLY AS POSSIBLE IN THE NEW YEAR.
TURNER

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